

# ALLIED MILITARY GOVERNMENT

BRITISH - UNITED STATES ZONE  
FREE TERRITORY OF TRIESTE



## OFFICIAL GAZETTE

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# ALLIED MILITARY GOVERNMENT

British - United States Zone - Free Territory of Trieste

## Order No. 44

### NEW PROVISIONS CONCERNING LEASE AND SUB-LEASE CONTRACTS AMENDMENTS AND ADDITIONS TO ORDER No. 175/1950

*WHEREAS it is deemed advisable to amend and supplement certain provisions of Order No. 175 dated 20 September 1950, concerning lease and sub-lease contracts, in that part of the Free Territory of Trieste administered by the British-United States Forces,*

*NOW, THEREFORE, I, CHARLES C. BLANCHARD, Brigadier General U. S. Army, Director General, Civil Affairs,*

#### ORDER :

##### ARTICLE I

*Section 1. — The word „charitable“ occurring in the first paragraph, point 2), of Article IV, in the fourth paragraph of Article VI and in the second paragraph of Article XIII of Order No. 175, dated 20 September 1950, shall be substituted by the word „mutual“ („mutualistiche“).*

*Section 2. — The word „charitable“ occurring in the second paragraph of Article XIII of said Order shall be substituted by the word „mutual“ („mutualistica“).*

##### ARTICLE II

In disputes concerning :

- a) the common and promiscuous use of rooms and installations in cases of cohabitation of several persons or various families, as determined by special laws concerning the blocking of leases, as well as the possibility of having such rooms divided, if such division can be carried out by works of a minor nature („non rilevante importanza“) at the expense of applicants ; and*
- b) the application of Article XXXVII of Order No. 175, dated 20 September 1950 ; the proceeding before the „Pretore“ shall be initiated by an application („ricorso“) at the end of which the „Pretore“ shall fix the date for the appearance of the parties concerned. Together with the application a receipt shall be deposited showing that the applicant has paid the amount of 100 Lire at the „Ufficio del Registro“ or at the „Tesoreria Provinciale“.*

The „Pretore“ shall direct the proceedings in the manner deemed most appropriate and omit any formalities not essential to the proceedings („contraddittorio“). In any case the provisions of Articles 291 and following of the Code of Civil Procedure shall be observed in so far as applicable.

The „Pretore“ shall fix the time-limits within which the parties to the dispute must present documents and memoranda and submit their counter-pleas. The parties may appear and act personally.

Technical experts opinions, whenever necessary, may be requested from the „Ufficio del Genio Civile“ or from the Communal Technical Office.

Before issuing his decision the „Pretore“ may hear together as experts a representative of the owners of urban leased immovables and a representative of the lessees (who shall not be a house-owner), both of them chosen by the „Pretore“ from among persons indicated by the President of the Tribunal in a list of persons of undisputed honesty and uprightness.

The judgement shall indicate the parties to the dispute, and contain a summary of the reasons for the decision, the decision itself („dispositivo“), the date thereof and the signatures of the „Pretore“ and of the „cancelliere“.

As to poor persons, the „Pretore“ may grant them the right of gratuitous representation also „ex officio“.

Against the decisions of the „Pretore“ which, on the ground of the value of the case, would have fallen within the competence of the „conciliatore“ and would have been unappealable by virtue of the fourth paragraph of Art. 339 of the Code of Civil Procedure, only appeal („ricorso“) to the Court of Appeal acting as Court of Cassation shall be admitted for reasons set forth in Art. 360 of said Code.

### ARTICLE III

The records of the proceedings before the „Pretore“ indicated in the foregoing Article and the issuance of copies thereof shall be exempt from any expenses, taxes, and fees.

The expenses for inspections („sopraluoghi“) or for technical ascertainment shall be paid in advance by the applicant if the inspection or the ascertainment has been ordered „ex officio“, and in other cases by the party requesting same.

### ARTICLE IV

The representatives of lessors and of lessees, mentioned in Article II hereof, shall be entitled to an indemnity equal to the amount of the presence counters („gettoni di presenza“) established by the existing provisions for members of Commissions functioning in the interest of State Administrations.

### ARTICLE V

The disputes pending at the Rents' Claims Offices and at the Rents' Appeal Commission on the effective date of Order No. 217 dated 24 November 1950, which by virtue of Art. VII of said Order fall within the competence of the „Pretore“, shall be decided respectively by the said Offices or Commission not later than 31 March 1951.

Disputes not decided within said time-limit shall be referred to the „Pretore“ as they stand on that date.

### ARTICLE VI

This Order shall become effective on the date it is signed by me and shall be operative as from 21 September 1950.

Dated at TRIESTE, this 6th day of March 1951.

**CHARLES C. BLANCHARD**

Brigadier General U. S. Army  
Director General, Civil Affairs

Ref. : LD/A/51/260

# Order No. 45

## PROVISIONS CONCERNING THE SUPPLY OF DATA OF STOCKS OF CERTAIN MATERIALS AND ON THE PRODUCTIVE CAPACITY OF CERTAIN INDUSTRIES

*WHEREAS it is considered advisable to provide for the ascertainment of stocks of certain materials and of the productive capacity of certain industries in that part of the Free Territory of Trieste administered by the British-United States Forces,*

*NOW, THEREFORE, I, CHARLES C. BLANCHARD, Brigadier General U.S. Army, Director General, Civil Affairs,*

### ORDER:

#### ARTICLE I

*Section 1.* — All industrial and commercial concerns, except forwarding agents, shall communicate, by registered letter with returned receipt, to the „Camera del Commercio, Industria e Agricoltura“ the following data concerning the materials listed in the Table annexed to this Order:

- a) the quantity of materials kept in store of the concerns on 20th March 1951;
- b) the quantity of materials held by any other person on behalf of the concern on 20th March 1951;
- c) the quantity of materials on way; i.e. those already purchased and forwarded by the supplier but not yet received on 20th March 1951;
- d) the quantity of materials already purchased but not yet forwarded by the supplier on 20th March 1951.

*Section 2.* — The declarations mentioned in Section 1 must reach the „Camera del Commercio, Industria e Agricoltura“ within 31 March 1951.

#### ARTICLE II

All industrial concerns must communicate within 31 March 1951, by registered letter with returned receipt, to the „Camera del Commercio, Industria e Agricoltura“ the data concerning their productive capacity.

#### ARTICLE III

The declarations provided for by Articles I and II must be compiled on the appropriate forms which may be obtained from the „Camera del Commercio, Industria e Agricoltura“.

#### ARTICLE IV

The „Camera del Commercio, Industria e Agricoltura“ shall forward the information obtained in terms of the foregoing Articles from the industrial concerns to the Department of Production, Allied Military Government, and shall forward the information obtained from the commercial concerns to the Department of Commerce, Allied Military Government, within 14 April 1951.



## ARTICLE V

The data collected shall not be made known for any reason whatever except in such a form as to take them as a whole, so that no individual reference can be made.

## ARTICLE VI

With effect from 20th March 1951, any person holding materials indicated in the Table annexed to this Order for purposes concerning commercial or industrial activities must keep a separate incoming and outgoing register for each depot or store where materials subject to declaration are held.

Such register must indicate the following particulars concerning all materials subject to declaration :

- a)* the quantities deposited ;
- b)* the quantities received ;
- c)* the quantities forwarded, delivered or destined for processing ;
- d)* the names of the enterprises from which the materials have been received and of those to which the materials have been forwarded or delivered ;
- e)* the location of the depots or stores of the enterprises mentioned sub *d)* above ;
- f)* the dates of each movement, incoming and outgoing.

## ARTICLE VII

The Department of Commerce and the Department of Production may order periodical communications of the condensed data of the registrations mentioned in the foregoing Article.

## ARTICLE VIII

The register shall, before being used, be progressively numbered on each page and stamped on each sheet by the Secretary of the „Camera del Commercio, Industria e Agricoltura“.

The said Secretary must certify on the last page of the register the number of sheets of which same is composed.

The requests for certification shall be recorded by the Secretary of the said Chamber on an appropriate register kept by him.

## ARTICLE IX

The incoming and outgoing register shall be kept in the depot or store to which it refers.

## ARTICLE X

The registrations shall be made according to the principles of proper compilation without any blank spaces and without interlineation or references written on the margin .

No erasures may be made. Should any cancellation be necessary it must be made so that the cancelled words be legible.

## ARTICLE XI

The Department of Commerce and the Department of Production may order inspection and controls concerning :

- a) the declarations of materials mentioned in Article I above ;
- b) the declarations regarding the productive capacity mentioned in Article II above ;
- c) the incoming and outgoing registers.

The said Departments may use, in addition to their own officials, the officials of the Labour Inspectorate, also officials of bodies subject to their control, officials of the Finance Guard and officials of the Venezia Giulia Police Force in its capacity as Judicial Police.

For the purpose of ensuring the observance of the directives given by virtue of this Order the officers and agents of the Judicial Police may at any hour enter public stores and any premises used by the concerns and carry out verifications and searches therein.

The power contemplated in the preceding paragraph is hereby given also to officials and agents of Public Administrations, delegated for such purpose by said Administrations. The delegation shall be proved by a special identity card bearing the photograph of the respective official or agent and the indication of his personal particulars and of his capacity.

Such identity card, issued by the competent Department, must be produced upon request of the persons from whom information is required and in whose premises controls and verifications are made.

The officials and agents of Public Administrations shall, within the limits of their powers, duties and functions, acquire the capacity of Judicial Police officers and agents respectively.

## ARTICLE XII

Any person failing to communicate the data or communicating untrue data or hindering the communication of same shall, provided his act does not constitute a more serious offence, be punished by a fine („multa“) up to ten million Lire and, in more serious cases, also by imprisonment („reclusione“) up to one year.

## ARTICLE XIII

This Order shall become effective on the date of its publication in the Official Gazette.

Dated at TRIESTE, this 10th day of March 1951.

**CHARLES C. BLANCHARD**

Brigadier General U.S. Army

Director General, Civil Affairs

*Ref. : LD/A/51/37*

## TABLE OF MATERIALS

Pit-coal, coke and semi-coke of pit-coal ;

Iron ore ;

Iron, steel and cast-iron scrap, including scrap from salvages ;

Raw cast-iron, „specolare“ cast-iron, alloyed cast-iron and any other type of cast-iron for „affinazione“ and for foundry ;

Any type of iron and steel, even alloyed, in moulds, blocks, ingots, blooms, billets, „Bramme“ and cans, bars, „profilati“, sheets, and „trafilati“;

Steel ingredients;

Copper-scrap even if from salvages;

Copper, even alloyed, raw, in cakes (pani), bars, rods, sheets, plates, tubes, thin sheets, strips, powder (polvere);

Nichel, even alloyed, in mats (matte), raw, in bars, rods, „profilati“, sheets, plates, thin sheets and strips, scraps, drops (goccie);

Tin, even alloyed, raw, in scraps, bars and „profilati“, sheets, thin sheets, plates, strips, tubes;

Bauxite;

Alumina;

Aluminium, even alloyed, raw, in scraps, cakes, bars, rods, „profilati“, sheets, plates, strips, tubes;

Lead-ores;

Lead metal, even alloyed, raw, in scraps, cakes, bars, rods, „profilati“, sheets, plates, strips, tubes;

Zinc ores;

Raw zinc, even alloyed, in mats, scraps, cakes, ingots, plates, cathodes, grained, in powder, bars and „profilati“, sheets, strips, plates (lastre), tubes;

Sulphur ores;

Raw and refined sulphur;

Carbon-black („nerofumo“);

Cotton, raw, washed, ungreated shredded (cascami), carded or combed;

Cotton linters;

Wool, dirty, washed, shredded, rags, carded or combed;

Hemp, raw, combed, tow (stoppa);

Synthetic textile fibre, in lot (in massa), in bundle, in shreds, carded, combed, pure or mixed;

Rubber-latex;

Natural and synthetic rubber;

Pulp for paper of rags, of wood, of straw;

Cellulose for textile fibres;

Timber for manufacturing;

Leather, for vamps (tomaie), soles, and transmission-belts.

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## Administrative Order No. 16

### AUTHORITY TO THE PARISH CHURCH OF „BEATA VERGINE DEL SOCCORSO“ IN TRIESTE TO PURCHASE IMMOVABLE PROPERTY

*WHEREAS the Parish Church of „Beata Vergine del Soccorso“ in Trieste has made an application to the Allied Military Government for authority to purchase immovable property from Mrs. Editta Marega widow Coppa and her children under age Coppa Laura and Coppa Marisa of the late Rodolfo, and*

*WHEREAS the aforesaid application has been duly approved by the Zone President and there is no objection to the granting of said application,*

NOW, THEREFORE, I, VONNA F. BURGER, Colonel F.A., Executive Director to Director General, Civil Affairs,

**ORDER:**

1. The Parish Church of „Beata Vergine del Soccorso“ in Trieste is hereby authorized to purchase from Mrs. Editta Marega widow Coppa and her children under age Coppa Laura and Coppa Marisa of the late Rodolfo the immovable property Part. Tav. 5382 of Trieste constituting a flat situated on the first floor of the building situated in Trieste, Via Giuseppe Picciola No. 3, marked VII in the map G.N. 1161/44 and 78/1000 undivided parts of the Part. Tav. 345 of Trieste.

2. This Order shall become effective on the date it is signed by me.

Dated at TRIESTE, this 3rd day of March 1951.

**VONNA F. BURGER**

Colonel F.A.

Executive Director to

Director General, Civil Affairs

Ref. : LD/B/51/21

## Administrative Order No. 17

### CONFERRING OF JUDICIAL FUNCTIONS ON JUDICIAL AUDITORS

WHEREAS by Administrative Order No. 63 dated 25 October 1950 the judicial Auditors Dr. Silvano LUGNANI and Dr. Domenico MALTESE were assigned to the Tribunal of Trieste to serve the prescribed period of judicial apprenticeship, and

WHEREAS it is now deemed advisable in the interest of the service of the Courts to confer on them judicial functions in advance of the prescribed date,

NOW, THEREFORE, I, VONNA F. BURGER, Colonel F.A., Executive Director to Director General, Civil Affairs,

**ORDER:**

1. Dr. Silvano LUGNANI and dr. Domenico MALTESE are hereby temporarily charged with judicial functions and assigned to the Tribunal of Trieste as Judges.
2. This Order shall become effective on the date it is signed by me.

Dated at TRIESTE, this 7th day of March 1951.

**VONNA F. BURGER**

Colonel F.A.

Executive Director to

Director General, Civil Affairs

Ref. : LD/B/51/16



# Administrative Order No. 18

## REVOCATION OF APPOINTMENT OF A MAGISTRATE

WHEREAS by Administrative Order No. 8 dated 10 February 1950 Dr. Angelo RIVERA, magistrate of III grade, placed at the disposal of the Allied Military Government, was temporarily appointed, with his consent, as First President of the Court of Appeal of Trieste, and

WHEREAS he has requested to be relieved from his functions at the said Court,

NOW, THEREFORE, I, VONNA F. BURGER, Colonel F.A., Executive Director to Director General, Civil Affairs,

### ORDER:

1. Dr. Angelo RIVERA is hereby, at his request, relieved from his functions as First President of the Court of Appeal of Trieste with effect from the 12th day of February 1951.
2. This Order shall become effective on the date it is signed by me.

Dated at TRIESTE, this 8th day of March 1951.

VONNA F. BURGER

Colonel F.A.

Executive Director to

Director General, Civil Affairs

Ref.: LD/B/51/13

# Administrative Order No. 19

## APPOINTMENT OF MAGISTRATES

WHEREAS by Administrative Order No. 18 dated March 8, 1951 Dr. Angelo RIVERA has been relieved, at his request, from his functions as First President of the Court of Appeal of Trieste, and

WHEREAS Dr. Francesco VITANZA, at present Procuratore Generale di Stato at the said Court of Appeal, has consented to be appointed as First President of the said Court of Appeal, and

WHEREAS Dr. Alfonso CONSALVO, Magistrate of grade III, has been placed at the disposal of the Allied Military Government and can be appointed to the post of Procuratore Generale di Stato at the said Court of Appeal,

NOW, THEREFORE, I, VONNA F. BURGER, Colonel F.A., Executive Director to Director General, Civil Affairs,

### ORDER:

#### ARTICLE I

#### APPOINTMENT

1. Dr. Francesco VITANZA, magistrate of grade III, is hereby temporarily appointed, with his consent, as First President of the Court of Appeal of Trieste.

2. Dr. Alfonso CONSALVO, magistrate of grade III, is hereby temporarily appointed, with his consent, Procuratore Generale di Stato at said Court of Appeal vice Dr. Francesco VITANZA hereby relieved.

## ARTICLE II

### EFFECTIVE DATE

This Order shall become effective on the date it is signed by me.

Dated at TRIESTE, this 8th day of March 1951.

**VONNA F. BURGER**

Colonel F. A.

Executive Director to

Director General, Civil Affairs

*Ref. : LD/B/51/14*

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